

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY

**UNITED STATES OF AMERICA**

**Plaintiff**

**vs.**

**LATIF HARRIS**

**Defendant**

**CIVIL NO.**

**COMPLAINT**

The United States of America, on behalf of its Agency, the Department of Education, by its specially appointed counsel, Colleen M. Hirst, KML Law Group, P.C., represents as follows:

1. This Court has jurisdiction pursuant to 28 U.S.C. 1345.
2. The last-known address of the Defendant, LATIF HARRIS is 83 Taylors Mills Road, Manalapan, NJ 07726-3422.
3. Defendant owes Plaintiff the principal sum of \$6,984.64, plus interest of \$5,663.56, for a total of \$12,648.20. A true and correct copy of the Certificate of Indebtedness is attached as Exhibit "A" ("Certificate of Indebtedness").
4. Demand has been made upon Defendant by Plaintiff for the sum due but the amount due remains unpaid.

WHEREFORE, the plaintiff demands judgment against Defendant as follows;

- (A) In the amount of \$12,648.20 with interest from 3/15/208.
- (B) Plus filing fee allowed pursuant to 28 U.S.C., Section 1914 in the sum of \$150.00.
- (C) Interest to accrue at the rate of 8.25% to the date of judgment..
- (D) Interest from the date of judgment at the legal rate of interest in effect on the date of judgment until paid in full.
- (E) Costs of suit.

Notice is hereby given to Defendant that Plaintiff intends to seek satisfaction of any judgment rendered in it favor in this action from any debt accruing.

United States of America by and through  
Its specially assigned counsel  
KML Law Group, P.C.



Dated: 5/31/2018

Colleen M. Hirst, Esquire  
216 Haddon Ave., Suite 406  
Westmont, NJ 08108  
Phone: 215-627-1322  
[CHirst@kmlawgroup.com](mailto:CHirst@kmlawgroup.com)

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY

**UNITED STATES OF AMERICA**

**Plaintiff**

**CIVIL NO.**

**vs.**

**LATIF HARRIS**

**Defendant**

**EXHIBITS**

**“A” CERTIFICATE OF INDEBTEDNESS**

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

<b>I. (a) PLAINTIFFS</b> The United States of America						<b>DEFENDANTS</b> LATIF HARRIS 83 Taylors Mills Road Manalapan, NJ 07726-3422							
<b>(b) County of Residence of First Listed Plaintiff</b> _____ <i>(EXCEPT IN U.S. PLAINTIFF CASES)</i>						County of Residence of First Listed Defendant Monmouth _____ <i>(IN U.S. PLAINTIFF CASES ONLY)</i>							
<b>(c) Attorneys (Firm Name, Address, and Telephone Number)</b> KML Law Group, P.C. – Colleen M. Hirst, Esquire 216 Haddon Avenue, Ste 406, Westmont, NJ 08018 215-627-1322; CHirst@kmllawgroup.com						NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED. Attorneys <i>(If Known)</i> _____							
<b>II. BASIS OF JURISDICTION</b> <i>(Place an "X" in One Box Only)</i>						<b>III. CITIZENSHIP OF PRINCIPAL PARTIES</b> <i>(Place an "X" in One Box for Plaintiff and One Box for Defendant)</i>							
X 1 U.S. Government Plaintiff			3 Federal Question <i>(U.S. Government Not a Party)</i>			Citizen of This State	PTF 1	DEF X 1	Incorporated or Principal Place of Business In This State	PTF 4	DEF 4		
2 U.S. Government Defendant			4 Diversity <i>(Indicate Citizenship of Parties in Item III)</i>			Citizen of Another State	2	2	Incorporated and Principal Place of Business In Another State	5	5		
						Citizen or Subject of a Foreign Country	3	3	Foreign Nation	6	6		
<b>IV. NATURE OF SUIT</b> <i>(Place an "X" in One Box Only)</i>													
<b>CONTRACT</b>		<b>TORTS</b>			<b>FORFEITURE/PENALTY</b>		<b>BANKRUPTCY</b>		<b>OTHER STATUTES</b>				
110 Insurance 120 Marine 130 Miller Act 140 Negotiable Instrument 150 Recovery of Overpayment & Enforcement of Judgment 151 Medicare Act <b>X 152 Recovery of Defaulted Student Loans (Excludes Veterans)</b> 153 Recovery of Overpayment of Veteran's Benefits 160 Stockholders' Suits 190 Other Contract 195 Contract Product Liability 196 Franchise		PERSONAL INJURY 310 Airplane 315 Airplane Product Liability 320 Assault, Libel & Slander 330 Federal Employers' Liability 340 Marine 345 Marine Product Liability 350 Motor Vehicle 355 Motor Vehicle Product Liability 360 Other Personal Injury 362 Personal Injury - Medical Malpractice			PERSONAL INJURY 365 Personal Injury - Product Liability 367 Health Care/ Pharmaceutical Personal Injury Product Liability 368 Asbestos Personal Injury Product Liability		625 Drug Related Seizure of Property 21 USC 881 690 Other		422 Appeal 28 USC 158 423 Withdrawal 28 USC 157		375 False Claims Act 400 State Reapportionment 410 Antitrust 430 Banks and Banking 450 Commerce 460 Deportation 470 Racketeer Influenced and Corrupt Organizations 480 Consumer Credit 490 Cable/Sat TV 850 Securities/Commodities/ Exchange 890 Other Statutory Actions 891 Agricultural Acts 893 Environmental Matters 895 Freedom of Information Act 896 Arbitration 899 Administrative Procedure Act/Review or Appeal of Agency Decision		
					PERSONAL PROPERTY 370 Other Fraud 371 Truth in Lending 380 Other Personal Property Damage 385 Property Damage Product Liability				820 Copyrights 830 Patent 840 Trademark				
					LABOR		710 Fair Labor Standards Act 720 Labor/Management Relations 740 Railway Labor Act 751 Family and Medical Leave Act 790 Other Labor Litigation		861 HIA (1395ff) 862 Black Lung (923) 863 DIWC/DIW (405(g)) 864 SSID Title XVI 865 RSI (405(g))		850 Securities/Commodities/ Exchange 890 Other Statutory Actions 891 Agricultural Acts 893 Environmental Matters 895 Freedom of Information Act 896 Arbitration 899 Administrative Procedure Act/Review or Appeal of Agency Decision		
<b>REAL PROPERTY</b>		<b>CIVIL RIGHTS</b>			<b>PRISONER PETITIONS</b>		791 Employee Retirement Income Security Act		870 Taxes (U.S. Plaintiff or Defendant) 871 IRS—Third Party 26 USC 7609		950 Constitutionality of State Statutes		
210 Land Condemnation 220 Foreclosure 230 Rent Lease & Ejectment 240 Torts to Land 245 Tort Product Liability 290 All Other Real Property		440 Other Civil Rights 441 Voting 442 Employment 443 Housing/Accommodations 445 Amer. w/Disabilities Employment 446 Amer. w/Disabilities Other 448 Education			Habeas Corpus: 463 Alien Detainee 510 Motions to Vacate Sentence 530 General 535 Death Penalty Other: 540 Mandamus & Other 550 Civil Rights 555 Prison Condition 560 Civil Detainee - Conditions of Confinement								
<b>V. ORIGIN</b> <i>(Place an "X" in One Box Only)</i>													
1 Original Proceeding		2 Removed from State Court		3 Remanded from Appellate Court		4 Reinstated or Reopened		5 Transferred from Another District (specify)		6 Multidistrict Litigation			
Cite the U.S. Civil Statute under which you are filing <i>(Do not cite jurisdictional statutes unless diversity)</i> : 28 U.S.C. 1345													
Brief description of cause: <b>Enforced Collections</b>													
<b>VII. REQUESTED IN COMPLAINT:</b>						<b>DEMAND \$</b>		CHECK YES only if demanded in complaint: <b>JURY DEMAND:</b> Yes <input checked="" type="checkbox"/> No					
<b>VIII. RELATED CASE(S) IF ANY</b>			(See instructions):			JUDGE _____			DOCKET NUMBER _____				
DATE		SIGNATURE OF ATTORNEY OF RECORD s/Colleen M. Hirst, Esquire											
5/31/2018													
FOR OFFICE USE ONLY													

U. S. DEPARTMENT OF EDUCATION  
SAN FRANCISCO, CALIFORNIA

CERTIFICATE OF INDEBTEDNESS #1 OF 1

Latif Harris  
83 Taylors Mills Rd.  
Manalapan, NJ 07726-3422  
Account No. XXXXX5657

I certify that U.S. Department of Education records show that the BORROWER named above is indebted to the United States in the amount stated below plus additional interest from 03/15/18.

On or about 06/14/01, the BORROWER executed a promissory note to secure a Federal Family Education Loan Program Consolidation loan from Pacific Loan Processors, Inc., Torrance, CA. This loan was disbursed for \$5,831.45 on 06/26/01 at 8.25% interest per annum. The loan obligation was guaranteed by United Student Aid Funds, Inc., and then reinsured by the Department of Education under loan guaranty programs authorized under Title IV-B of the Higher Education Act of 1965, as amended, 20 U.S.C. 1071 et seq. (34 C.F.R. Part 682). The holder demanded payment according to the terms of the note, and credited \$0.00 to the outstanding principal owed on the loan. The BORROWER defaulted on the obligation on 05/15/08, and the holder filed a claim on the loan guarantee.

Due to this default, the guaranty agency paid a claim in the amount of \$6,984.64 to the holder. The guarantor was then reimbursed for that claim payment by the Department under its reinsurance agreement. Pursuant to 34 C.F.R. § 682.410(b) (4), once the guarantor pays on a default claim, the entire amount paid becomes due to the guarantor as principal. The guarantor attempted to collect this debt from the BORROWER. The guarantor was unable to collect the full amount due, and on 09/15/14, assigned its right and title to the loan to the Department.

Since assignment of the loan, the Department has credited a total of \$0.00 in payments from all sources, including Treasury Department offsets, if any, to the balance. After application of these payments, the BORROWER now owes the United States the following:

Principal: \$6,984.64

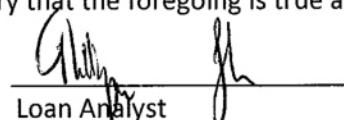
Interest: \$5,663.56

Total debt as of 03/15/18: \$12,648.20

Interest accrues on the principal shown here at the rate of \$1.58 per day.

Pursuant to 28 U.S.C. § 1746(2), I certify under penalty of perjury that the foregoing is true and correct.

Executed on: 5-2-18

  
\_\_\_\_\_  
Loan Analyst  
Litigation Support Unit

Philippe Gullon  
Loan Analyst

UNITED STATES DISTRICT COURT  
for the

\_\_\_\_\_ District of \_\_\_\_\_

*Plaintiff* \_\_\_\_\_ )  
v. \_\_\_\_\_ ) Civil Action No. \_\_\_\_\_  
*Defendant* \_\_\_\_\_ )

## **SUMMONS IN A CIVIL ACTION**

To: (*Defendant's name and address*)

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

*CLERK OF COURT*

Date:

*Signature of Clerk or Deputy Clerk*

Civil Action No. \_\_\_\_\_

**PROOF OF SERVICE**

*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for (*name of individual and title, if any*) \_\_\_\_\_  
was received by me on (*date*) \_\_\_\_\_.

- I personally served the summons on the individual at (*place*) \_\_\_\_\_  
on (*date*) \_\_\_\_\_; or \_\_\_\_\_
- I left the summons at the individual's residence or usual place of abode with (*name*) \_\_\_\_\_,  
\_\_\_\_\_, a person of suitable age and discretion who resides there,  
on (*date*) \_\_\_\_\_, and mailed a copy to the individual's last known address; or
- I served the summons on (*name of individual*) \_\_\_\_\_, who is  
designated by law to accept service of process on behalf of (*name of organization*) \_\_\_\_\_  
on (*date*) \_\_\_\_\_; or \_\_\_\_\_
- I returned the summons unexecuted because \_\_\_\_\_; or \_\_\_\_\_
- Other (*specify*): \_\_\_\_\_

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ \_\_\_\_\_.

I declare under penalty of perjury that this information is true.

Date: \_\_\_\_\_

*Server's signature*

*Printed name and title*

*Server's address*

Additional information regarding attempted service, etc: